

Remarks

Claims 18-37 are pending in the subject application. Applicants acknowledge that claims 29-37 have been withdrawn from further consideration as being drawn to a non-elected invention. By this Amendment, Applicants have canceled claims 19-24 and 29-37 and amended claims 18 and 26. Support for the amendments can be found throughout the subject specification and in the claims as filed. Applicants respectfully submit that the amendments presented herein will require no further search or examination on the part of the Examiner and does not constitute new matter. Entry and consideration of the amendments presented herein is respectfully requested. Accordingly, claims 18 and 25-28 are currently before the Examiner. Favorable consideration of the pending claims is respectfully requested.

As an initial matter, Applicants gratefully acknowledge the Examiner's indication that claims 23, 24, and 26 are objected to but would be allowable if rewritten into independent form to include the limitations of any base and intervening claims. Applicants respectfully submit that the amendments presented herein places the subject application in condition for allowance.

Claims 18-21, 25, 27, and 28 are rejected under 35 USC §102(b) as anticipated by Cantor *et al.* (WO 87/05026). In addition, claim 22 is rejected under 35 USC §103(a) as obvious over Cantor *et al.* (WO 87/05026) and further in view of Krieger *et al.* (U.S. Patent No. 5,510,466). Applicants respectfully assert that the cited references, whether taken alone or in combination, do not teach or suggest Applicant's claimed invention. However, in order to expedite prosecution of the subject application to allowance, Applicants have amended claim 18 to incorporate the elements of claim 23. As noted above, the Examiner has indicated that claim 23 would be allowable if rewritten into independent form. The remaining claims either depend from or reference the nucleic acid of claim 18 or the recombinant expression vector of claim 25 (which itself refers back to claim 18). Accordingly, Applicants respectfully assert that these rejections are moot. Reconsideration and withdrawal of the rejections under 35 USC §102(b) and 35 USC §103(a) is respectfully requested.

It should be understood that the amendments presented herein have been made solely to expedite prosecution of the subject application to completion and should not be construed as an indication of Applicants' agreement with or acquiescence in the Examiner's position.

In view of the foregoing remarks and amendments to the claims, Applicants believe that the currently pending claims are in condition for allowance, and such action is respectfully requested.

The Commissioner is hereby authorized to charge any fees under 37 CFR §§1.16 or 1.17 as required by this paper to Deposit Account No. 19-0065.

Applicants invite the Examiner to call the undersigned if clarification is needed on any of this response, or if the Examiner believes a telephonic interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,



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